UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

| UNITED STATES OF AMERICA, |) | |
|---------------------------|---|---------------------|
| Plaintiff, |) | |
| VS. |) | CRIMINAL ACTION NO. |
| v 3. |) | 3:07-CR-281-G |
| GERARDO MONTEMAYOR, |) | |
| |) | ECF |
| Defendant. |) | |

ORDER ACCEPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE CONCERNING PLEA OF GUILTY

After reviewing all relevant matters of record, including the Notice Regarding Entry of a Plea of Guilty, the Consent of the defendant, and the Report and Recommendation Concerning Plea of Guilty of the United States Magistrate Judge, and no objections thereto having been filed within ten days of service in accordance with 28 U.S.C. § 636(b)(1), the undersigned district judge is of the opinion that the Report and Recommendation of the Magistrate Judge concerning the plea of guilty is correct, and it is hereby accepted by the court. Accordingly, the court **ACCEPTS** the

plea of guilty, and defendant is hereby adjudged guilty. Sentence will be imposed in accordance with the court's scheduling order.

SO ORDERED.

May 8, 2008.

A. JOE FISH

Senior United States District Judge